

Attorney Docket No: 40116/03601 (1513/1514)

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MAY 03 2007

I. INTRODUCTION

Claims 22-24 have been added. Thus, claims 1-17 and 20-24 are now pending in the present application. Claims 18-19 have been previously canceled. Applicants wish to thank the Examiner for indicating the allowability of claims 8, 9, 14 and 15 if rewritten in independent form. However, in view of the following remarks, it is respectfully submitted that all of the pending claims are allowable.

II. THE SET I U.S.C. §102(e) REJECTION SHOULD BE WITHDRAWN

Claims 1, 11, and 16 stand rejected under 35 U.S.C. § 102(e) as unpatentable over U.S. Pat. No. 6,259,929 (Kuisma). (See 2/5/07 Office Action, p. 2).

Kuisma is directed toward a radio phone composed of separate modules. Kuisma includes a basic module and at least one additional module detachably plugged thereto. The additional modules include the main part of the electrical circuits required in transmitting and receiving an analogue or a digital signal. (See Kuisma, abstract). The basic module may fixedly include the first or second additional module. (See *Id.*, col. 3, l. 58 – col. 4, l. 6).

Independent claim 1 recites an *access point* for wireless communication. The Examiner states that Kuisma inherently teaches an access point for wireless communication. IN order to show inherency, the Examiner must show that the mobile phone necessarily functions as an access point. MPEP § 2112. Rather than present evidence on this point, the Examiner assumes that this must be so. In fact, Kuisma is directed toward a mobile phone and lacking the ability to act as an access point. Those skilled in the art understand that an access point is a

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device that connects wireless communication devices together to form a wireless network. Furthermore, the access point forwards data from a wireless communication device to at least one other wireless communication device. That is, the access point serves as an intermediary to relay data. In contrast, a phone as disclosed in Kuisma is not an access point because it lacks this data intermediary capacity. The phone of Kuisma allows a user to communicate with other users independent of the signal being digital or analog. However, the phone of Kuisma does not forward data directly to at least one other wireless communication device disposed in the network. Instead, the phone of Kuisma is a terminus of the network. That is, the phone of Kuisma either originates a communication or receives a communication. Kuisma does not disclose nor would one skilled in the art assume that the phone includes the functionalities of an access point. Kuisma, in its entirety, refers to the functionalities of a phone and the means in which a user may communicate using the phone in a digital or analog environment.

Thus, it is respectfully submitted that Kuisma does not disclose or suggest an access point for wireless communication as recited in claim 1. Accordingly, it is respectfully submitted that the Examiner should withdraw the 35 U.S.C. § 102(e) rejection of claim 1.

Independent claim 11 recites a wireless access. Therefore, it is respectfully submitted that the Examiner should withdraw the 35 U.S.C. § 102(e) rejection of claim 11 for at least the reasons stated above with reference to claim 1.

Independent claim 16 recites a wireless communication access point. Therefore, it is respectfully submitted that the Examiner should withdraw the 35 U.S.C. § 102(e) rejection of claim 16 for at least the same reasons stated above with reference to claim 1.

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Newly added claims 22-24 further indicate the functionality of the access points of claims 1, 11, and 16, respectively. Specifically, the access point automatically forwards a communication (*i.e.*, the access point is an intermediary that relays data).

III. THE U.S.C. §103(a) REJECTIONS – SET I SHOULD BE WITHDRAWN

Claims 4-7, 10, 12, 13, and 19-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,259,929 (Kuisma) in view of U.S. Pat. Pub. No. 2002/0172336 (Postma). (See 2/5/07 Office Action, p. 4). Kuisma was discussed above.

Postma discloses an information system that includes a first module and a second module that interoperate over first and second communication ports. Interoperation over the first and second communication ports provides the first module access to functions and features of the second module and provides the second module access to functions and features of the first module. The first module is operable to communicate over a first network and the second module is operable to communicate over a second network. (See Postma, abstract). Specifically, Postma is directed toward a base module (*e.g.*, telephone) used in combination with a portable module (*e.g.*, PDA).

The Examiner correctly stated that Kuisma does not disclose the recitations of claims 4-7, 10, 12, 13, and 19-21. The Examiner attempted to cure these deficiencies using Postma. However, similar to Kuisma, Postma discloses a phone, a wireless device, or a combination thereof. That is, Postma is directed toward a end-user device and does not include the functionalities of an access point such as being an intermediary to relay data. Thus, it is respectfully submitted that neither Kuisma nor Postma, either alone or in combination, disclose or suggest an access point for wireless communication, as recited in claim 1. Accordingly,

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because claims 4-7, 10, 12, 13, and 19-21 depend from and, therefore, include all the limitations of its respective independent claim, it is respectfully submitted that these claims are also allowable.

Claims 2, 3, and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,259,929 (Kuisma) in view of U.S. Pat. Pub. No. 2002/0172336 (Postma) in further view of U.S. Pat. Pub. No. 2004/0063456 (Griffin). (See 2/5/07 Office Action, p. 6). Kuisma and Postma were discussed above.

Griffin discloses a communication device having detachable communication modules that include a first communication module and a second communication module. The first communication module is configured to receive RF signals from a wireless network. The second communication module may be physically attached to the first communication module and is coupled to the first communication module by a wireless link. The second communication module is configured to receive the RF signals from the first communication module over the wireless link and to convert the RF signals into an audible signal. (See Griffin, abstract). Specifically, Griffin is directed toward an earpiece that enables hands-free operation.

The Examiner correctly stated that Kuisma in view of Postma does not disclose the recitations of claims 2, 3, and 17. The Examiner attempted to cure these deficiencies using Griffin. Initially, it is respectfully submitted that Griffin is not in the same field of endeavor as Kuisma and Postma. Specifically, Kuisma and Postma are directed toward end-user devices that communicate within a network. In contrast, Griffin is directed toward an accessory to end-user devices in the form of an audio module. However, even assuming the teachings of Griffin are combinable with the teachings of Kuisma and Postma (which Applicants do not concede), Griffin pertains to end-user devices. That is, Griffin does not include the functionalities of an

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access point such as being an intermediary to relay data to another device. Griffin receives a signal to be translated into audio signals transmitted to the user. Thus, it is respectfully submitted that neither Kuisma, Postma, nor Griffin, either alone or in combination, disclose or suggest an access point for wireless communication, as recited in claim 1. Accordingly, because claims 2, 3, and 17 depend from and, therefore, include all the limitations of its respective independent claim, it is respectfully submitted that these claims are also allowable.

IV. THE U.S.C. §103(a) REJECTIONS – SET II SHOULD BE WITHDRAWN

Claims 1, 11, and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. Pub. No. 2002/0172336 (Postma) in view of U.S. Pat. Pub. No. 2003/0082097 (Kim). (See 2/5/07 Office Action, p. 7). Postma was discussed above.

Kim describes a system for controlling the operation of a mobile communication terminal capable of providing high-speed data rate (HDR) service. (See Kim, abstract). A first antenna mounted to a mobile communication terminal is used in conjunction with a second detachable antenna during HDR service to minimize loss of received information resulting from signal fading. (See Id., ¶ [0017]). The first antenna is part of a first RF module and the second antenna is part of a second RF module. (See Id., ¶ [0018]). A controller is adapted to control a switch that supplies power from a battery to an RF receiver in the second RF module depending on whether the second antenna is connected to the RF receiver, whether an external terminal is connected to the mobile communication terminal, or whether the mobile communication terminal is in a traffic mode for the HDR service. (See Id., ¶ [0020]).

Initially, it is respectfully submitted that both Postma and Kim are directed toward an end-user device and not an access point. As discussed above with reference to the rejection

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under Set I, Postma discloses a phone, a wireless device, or a combination thereof, thereby being directed toward a end-user device and does not include the functionalities of an access point such as being an intermediary to relay data. Furthermore, Kim discloses a system and method for controlling the operation of a mobile communication *terminal* capable of providing a high-speed data rate service. (See Kim, ¶ [0009]). That is, Kim is directed toward a terminus of a communication, whether a communication originates or is received by the terminal. The terminal of Kim also does not include the functionalities of an access point such as acting as an intermediary to relay data. Therefore, neither Postma nor Kim, either alone or in combination, disclose or suggest an access point as recited in claim 1.

Furthermore, the Examiner correctly stated that Postma fails to teach that when the removable module is inserted into the slot, the access point is capable of communicating with a second wireless device utilizing at least one of the first and second frequency bands. (See 2/5/07 Office Action, p. 8). The Examiner attempted to cure this deficiency with Kim. However, Kim discloses a removable antenna (i.e., the second antenna) which, when attached, enables an existing radio (i.e., the second RF module) disposed within a mobile device (i.e., the mobile communications terminal) to function. The antenna of Kim does not include a radio device, *i.e.*, an antenna is not a radio device. The antenna of Kim merely allows existing radio devices to be activated. Because the second RF module itself is integral with the terminal, it does not constitute “a removable module,” as recited in claim 1. Thus, Kim does not cure the deficiencies of Postma.

In addition, the second antenna of Kim receives the same signal as the first antenna and is only intended to mitigate the effects of signal fading. (See Kim, ¶ [0017]). Thus, the first RF module and the second RF module are functionally similar and allowing one module

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to operate at a frequency different from that of the other module would completely defeat the purpose of Kim's invention. Thus, the second antenna does not "utiliz[e] a second frequency band," as recited in claim 1.

Based on these reasons, it is respectfully submitted that neither Postma nor Kim, either alone or in combination, discloses or suggests an access point for wireless communication comprising a removable "module including a second communication radio utilizing a second frequency band," as recited in claim 1. Accordingly, it is respectfully submitted that the Examiner should withdraw the 35 U.S.C. § 103(a) rejection of claim 1.

Independent claim 11 recites a wireless access point comprising a "second receiving slot being capable of receiving a second removable module, the second module including a second wireless radio communicating utilizing a second frequency band." Therefore, it is respectfully submitted that the Examiner should withdraw the 35 U.S.C. § 103(a) rejection of claim 11 for at least the reasons stated above with reference to claim 1.

Independent claim 16 recites a wireless communication access point comprising "at least one module selectively insertable into and removable from the slot, the module including one of an internal antenna and an external antenna for the first radio, and a second wireless radio communicating on a second frequency band." Therefore, it is respectfully submitted that the Examiner should withdraw the 35 U.S.C. § 103(a) rejection of claim 16 for at least the same reasons stated above with reference to claim 1.

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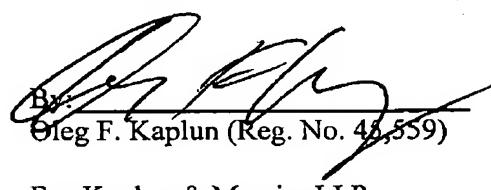
CONCLUSIONRECEIVED
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In view of the remarks submitted above, Applicants respectfully submit that the present **MAY 3 2007** case is in condition for allowance. All issues raised by the Examiner have been addressed, and a favorable action on the merits is thus earnestly requested.

Respectfully submitted,

Dated:

5/3/07


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